

Hiramoto et al (U.S. Patent No. 5,847,783; hereinafter "Hiramoto"). The Office Action also rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Lazzery as applied to Claim 1 above, and further in view of Iguchi (U.S. Patent No. 5,233,451; hereinafter "Iguchi"). Applicants submit that the pending amended claims are patentable over the cited art for at least the following reasons.

Claim 1 claims, in pertinent part: "a resilient connection pin which provides a variable-pressure metal-metal contact[.]" As stated in previous prosecution, in Lazzery, the conductor, although resilient due to the underlying rubber, is a plurality of spaced apart at least partially encircling lines (78) of conductive material. The conductive material encircles an insulating material (such as Mylar) wrapped around cylinder 70. Lazzery's conductor is substantially more complex to produce and insert into a Liquid Crystal Module than Applicants' connection pin. It requires conductors wrapped around Mylar, wrapped around rubber, wrapped around a wire, which is held in place by slots in which the wire must be inserted (see, e.g., col. 2, line 45 to col. 4, line 27). Further, Lazzery lacks the advantage of added contact reliability from variable-pressure metal-metal contact provides in a manufactured standard pin.

Additionally, Lazzery's rubber is not the equivalent of, nor does it anticipate Applicants' pin because rubber and

resilient pins function in substantially different ways. (See, e.g., *Slimfold Mfg. Co. v. Kinkead Industries, Inc.*, 932 F.2d 1453, 18 USPQ2d 1942 (Fed Cir. 1991) where a latch and a wedge were held to have very different modes of operation, different enough in the way that it operates that it avoided infringement.) The Office Action states that since Lazzery's rubber and Applicants' pin perform the same function and result that they are equivalent. Applicants respectfully disagree with this interpretation because a pin and a rubber cylinder do not give pressure in the same way. Both exert a force, however the cylinder exerts this force along its entire length. A pin and spring do not exert a force over such a long area. Lazzery's cylinder could not provide an electrical connection on an individual point of limited area. Consequently, for this additional reason, Applicants believe the rubber cylinder of Lazzery does not recite or suggest a pin and spring mechanism, as both perform similar functions and results in substantially different ways.

One of the three basic criteria needed to establish a case of obviousness is that the prior art reference must teach or suggest all the claim limitations. M.P.E.P. § 706.02(j). Here, Lazzery fails to teach or suggest the use of a resilient connection pin. Consequently, Claim 1 is believed patentable for at least this reason.


In addition, Applicants reiterate the argument that Lazzery relies upon clamping to maintain a tight and rigid fitting assemblage of parts and contacts. However, as recited in Lazzery, "[s]ome slight deformation of the connectors 24 thus occurs, the connectors bowing out slightly toward and against the cell lower substrate" (Col. 4, lines 39-42). Lazzery compensates for this deformation by including projections to serve as stops which limit the pressure applied against the resilient connectors (e.g., Col. 4, lines 42-46). Applicants' claimed invention eliminates the need for such stops, and improves contacts by eliminating the potential for deformations, and takes advantage of the pressure clamping provides. Contrary to the statement in the Office Action regarding the preclusion of using stops, Applicants note that eliminating the need, and preclusion are very different terminology. Advantageous elimination of a superfluous element is a secondary consideration indicating non-obviousness. Since Applicants' invention eliminates the need for projections and reduces the potential for deformations, Claim 1 is believed patentable over Lazzery for this additional reason.

Claims 2-3 and 5-10 depend from Claim 1 and are believed patentable for at least the same reasons. Applicants believe that the amendment to Claim 1 additionally renders the 35 U.S.C. § 103(a) rejections of Claims 5, 7, and 9 moot. In addition,

Claims 2-3 and 5-10 are also deemed to define additional aspects of the invention, and should be individually considered on their own merits.

In view of the foregoing, it is respectfully submitted that the currently pending claims, as herein amended, clearly define statutory subject matter. Accordingly, allowance of the currently pending claims is now respectfully submitted to be justified, and favorable consideration is earnestly solicited.

Respectfully submitted,

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